



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa2385/2
TKK:kjf:jf

**ASSEMBLY AMENDMENT 7,
TO 2011 ASSEMBLY BILL 547**

February 21, 2012 – Offered by Representatives VAN ROY and RIVARD.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 10, line 1: before that line insert:

3 “**SECTION 1g.** 15.406 (2) (a) of the statutes is amended to read:

4 15.406 (2) (a) Three dietitians ~~who are certified~~ licensed under subch. V of ch.
5 448.”

6 **2.** Page 10, line 1: delete “**SECTION 1**” and substitute “**SECTION 1r**”.

7 **3.** Page 47, line 6: after that line insert:

8 “**SECTION 130d.** 146.81 (1) (em) of the statutes is amended to read:

9 146.81 (1) (em) A dietitian ~~certified~~ licensed under subch. V of ch. 448.

10 **SECTION 130h.** 146.89 (1) (r) 1. of the statutes is amended to read:

11 146.89 (1) (r) 1. Licensed as a physician under ch. 448, a dentist or dental
12 hygienist under ch. 447, a registered nurse, practical nurse, or nurse–midwife under
13 ch. 441, an optometrist under ch. 449, a physician assistant under ch. 448, a dietitian

1 under subch. V of ch. 448, a pharmacist under ch. 450, a chiropractor under ch. 446,
2 a podiatrist under subch. IV of ch. 448, or a physical therapist under subch. III of ch.
3 448.

4 **SECTION 130p.** 146.89 (1) (r) 2. of the statutes is repealed.

5 **SECTION 130t.** 146.997 (1) (d) 6. of the statutes is amended to read:

6 146.997 (1) (d) 6. A dietician ~~certified~~ licensed under subch. V of ch. 448.”.

7 **4.** Page 49, line 18: after that line insert:

8 “**SECTION 141g.** 251.06 (3) (e) 2. of the statutes is amended to read:

9 251.06 (3) (e) 2. A public health nutritionist, who is a ~~certified~~ licensed
10 dietitian, as defined in s. 448.70 (1m) (5), is credentialed as a registered dietitian by
11 the Commission on Dietetic Registration, and meets qualifications that the
12 department shall specify by rule.

13 **SECTION 141r.** 252.14 (1) (ar) 4m. of the statutes is amended to read:

14 252.14 (1) (ar) 4m. A dietitian ~~certified~~ licensed under subch. V of ch. 448.”.

15 **5.** Page 78, line 22: after that line insert:

16 “**SECTION 228m.** 446.02 (6m) of the statutes is amended to read:

17 446.02 (6m) No chiropractor may provide counsel, direction, guidance, advice,
18 or a recommendation to a patient regarding the health effects of vitamins, herbs, or
19 nutritional supplements unless the chiropractor has been issued a certificate under
20 sub. (2) (c). This subsection does not apply to a chiropractor licensed under this
21 chapter who is ~~certified~~ as a dietician dietitian licensed under subch. V of ch. 448.”.

22 **6.** Page 79, line 2: after that line insert:

23 “**SECTION 229b.** 448.70 (1m) of the statutes is renumbered 448.70 (5) and
24 amended to read:

1 448.70 (5) “Certified Licensed dietitian” means an individual who is certified
2 licensed as a dietitian under this subchapter.

3 **SECTION 229e.** 448.72 (1) (intro.), (d) and (f), (4) and (5) of the statutes are
4 amended to read:

5 448.72 (1) (intro.) Require a ~~certificate~~ license under this subchapter for any
6 of the following:

7 (d) A dietetic technician or assistant who is working under the supervision of
8 a ~~certified~~ licensed dietitian.

9 (f) A person who markets or distributes food, food materials or dietary or food
10 supplements, who explains the use, benefits or preparation of food, food materials
11 or dietary or food supplements, who furnishes nutritional information on food, food
12 materials or dietary or food supplements, or who disseminates nutritional
13 information or literature, if the person does not use the title “dietitian” or “~~certified~~
14 licensed dietitian” and the person complies with applicable federal, state and local
15 laws.

16 (4) Prohibit an individual who is registered as a dietitian with the ~~commission~~
17 ~~on dietetic registration~~ Commission on Dietetic Registration of the American
18 ~~Dietetic Association~~ Academy of Nutrition and Dietetics from using the title
19 “dietitian” or “registered dietitian”.

20 (5) Prohibit an individual who is registered as a dietetic technician with the
21 ~~commission on dietetic registration~~ Commission on Dietetic Registration of the
22 ~~American Dietetic Association~~ Academy of Nutrition and Dietetics from using the
23 title “dietetic technician” or “dietetic technician registered”.

24 **SECTION 229h.** 448.74 (2) of the statutes is amended to read:

1 448.74 (2) Establish a code of ethics to govern the professional conduct of
2 certified licensed dietitians.

3 **SECTION 229j.** 448.76 of the statutes is amended to read:

4 **448.76 Use of titles.** Except as provided in s. 448.72 (1) (e) and (2) to (6), a
5 person who is not a certified licensed dietitian may not designate himself or herself
6 as a dietitian or licensed dietitian, claim to provide dietetic services, or use any title
7 or initials that represent or may tend to represent the person as certified or licensed
8 as a dietitian or as certified or licensed in a nutrition-related field.

9 **SECTION 229L.** 448.78 (intro.) of the statutes is amended to read:

10 **448.78 ~~Certification of dietitians~~ Licensure as a dietitian.** (intro.) The
11 affiliated credentialing board shall grant a ~~certificate~~ license as a dietitian to an
12 individual who does all of the following:

13 **SECTION 229n.** 448.78 (1) of the statutes is amended to read:

14 448.78 (1) Submits an application for the ~~certificate~~ license to the department
15 on a form provided by the department.

16 **SECTION 229p.** 448.78 (4) (b) of the statutes is amended to read:

17 448.78 (4) (b) An individual who is registered as a dietitian with the
18 ~~commission on dietetic registration~~ Commission on Dietetic Registration of the
19 ~~American Dietetic Association~~ Academy of Nutrition and Dietetics.

20 **SECTION 229r.** 448.78 (5) of the statutes is amended to read:

21 448.78 (5) Passes the registration examination for dietitians established by the
22 ~~commission on dietetic registration of the American dietetic association~~ Commission
23 on Dietetic Registration that is accredited by the National Commission for Certifying
24 Agencies, or passes an equivalent examination approved by the affiliated

1 credentialing board, and held under s. 448.84, to determine fitness to practice
2 dietetics.

3 **SECTION 229u.** 448.80 of the statutes is amended to read:

4 **448.80 Temporary certificate license.** Upon application and payment of
5 the fee specified in s. 440.05 (6), the affiliated credentialing board may grant a
6 temporary dietitian ~~certificate~~ license to an individual who satisfies the
7 requirements under s. 448.78 (1) to (4) and has submitted an application to take the
8 next available examination under s. 448.84. A temporary ~~certificate~~ license granted
9 under this section is valid for a period designated by the affiliated credentialing
10 board, not to exceed 9 12 months, and may be renewed once by the affiliated
11 credentialing board.

12 **SECTION 229w.** 448.82 of the statutes is amended to read:

13 **448.82 Reciprocal certificate license.** Upon application and payment of the
14 fee specified in s. 440.05 (2), the affiliated credentialing board shall grant a dietitian
15 ~~certificate~~ license to an individual who holds a similar certificate or license in
16 another state or territory of the United States if the affiliated credentialing board
17 determines that the requirements for receiving the certificate or license in the other
18 state or territory are substantially equivalent to the requirements under s. 448.78.

19 **SECTION 229x.** 448.86 (title) and (1) of the statutes are amended to read:

20 **448.86 (title) Issuance of certificate license; expiration and renewal.**

21 (1) The department shall issue a ~~certificate~~ license to each individual who is ~~certified~~
22 licensed under this subchapter.

23 **SECTION 229y.** 448.86 (2) of the statutes is amended to read:

24 448.86 (2) The renewal dates for ~~certificates~~ licenses granted under this
25 subchapter, other than temporary ~~certificates~~ licenses granted under s. 448.80, are

1 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
2 department on a form provided by the department and shall include the renewal fee
3 determined by the department under s. 440.03 (9) (a).

4 **SECTION 229z.** 448.87 (2) (intro.) and (a) of the statutes are amended to read:

5 448.87 (2) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
6 affiliated credentialing board may reprimand a ~~certified~~ licensed dietitian or deny,
7 limit, suspend, or revoke a ~~certificate~~ license granted under this subchapter if it finds
8 that the applicant or ~~certified~~ licensed dietitian has done any of the following:

9 (a) Made a material misstatement in an application for a ~~certificate~~ license or
10 for renewal of a ~~certificate~~ license.”.

11 **7.** Page 79, line 20: after that line insert:

12 “**SECTION 232m.** 450.10 (3) (a) 5m. of the statutes is amended to read:

13 450.10 (3) (a) 5m. A dietitian ~~certified~~ licensed under subch. V of ch. 448.”.

14 **8.** Page 80, line 8: after that line insert:

15 “**SECTION 236g.** 632.895 (1) (b) 5. b. of the statutes is amended to read:

16 632.895 (1) (b) 5. b. A dietitian ~~certified~~ licensed under subch. V of ch. 448, if
17 the nutrition counseling is provided on or after July 1, 1995.

18 **SECTION 236r.** 655.45 (1m) of the statutes is amended to read:

19 655.45 (1m) For the quarter beginning on July 1, 1995, and for each quarter
20 thereafter, the director of state courts shall file reports complying with sub. (2) with
21 the dietitians affiliated credentialing board regarding health care providers ~~certified~~
22 licensed by the dietitians affiliated credentialing board.”.

23 **9.** Page 81, line 7: after that line insert:

1 “(1m) LICENSURE OF DIETITIANS; TRANSITIONAL PROVISIONS. Notwithstanding
2 section 448.78 of the statutes, as affected by this act, on the effective date of this
3 subsection, a person who, immediately prior to the effective date of this subsection,
4 held a valid certificate as a dietitian granted by the dietitians affiliated credentialing
5 board, is considered to be a licensed dietitian under section 448.70 (5), as affected by
6 this act, and, before July 1, 2013, the dietitians affiliated credentialing board shall
7 issue a license to the person under sections 448.78 and 448.86 of the statutes, as
8 affected by this act.”.

9

(END)